THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.27391 OF 2005

Dt.23.12.2005

Between:

Sarsam Mohana Reddy and another … Petitioners

And

The Assistant Commissioner of Endowments,

Ranga Reddy District and 4 others. … Respondents

ORDER:

Heard the learned counsel for the petitioners, the learned Government Pleader for Endowments and the learned counsel for the 3rd respondent.

It is stated that the petitioners herein are residents of Majidpur Village, Shamirpet Mandal, Ranga Reddy District. It is stated that there is a temple known as Sri Sri Sri Kshetragiri Venkateshwara Temple where the deity of Lord Sri Venkateshwara is situate and the said temple is in Sy.No.129 of Majidpur Village and the said Sy.No.129 is overlapped by Sy.No.92 of Ghanapur Village, Medchal Mandal and the land in both the survey numbers belong to the Government. As there is a dispute between the Majidpur and Ghanpur villagers with regard to the location of the temple, the Collector, Ranga Reddy District, passed orders vide proceedings dated 18.1.1999 stating that the temple in question is situated exactly within the overlapping area

and in both the villages the survey numbers abutting to the village boundary are Government poramboke and therefore declared the said temple as community property irrespective of the overlapping issue. As against the said order, the founder trustee of the 3rd respondent temple and other villagers of Ghanpur filed an appeal before the Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad and the same was allowed by order dated 14.10.2004 holding that the temple is located in Ghanpur village and if the villagers of Majidpur want to dispute the same it is open to question the same in appropriate forum. As against the said order dated 14.10.2004, the villagers of Majidpur filed W.P.No.22758 of 2004 and this Court by order dated 9.12.2004 in W.P.M.P.No.29874 of 2004 granted status quo as on the day shall be maintained by the parties. It is stated that when the villagers of Majidpur were not allowed in the matter of conducing of Pongal festival celebrations from 14.1.2005 to 16.1.2005, they have filed W.P.No.70 of 2005 and the same was disposed of by this Court on 11.1.2005 permitting the villagers of Majidpur in conducting the pongal festival celebrations (jaatara) of the said temple irrespective of the notification as per the prevailing age-old custom.

It is stated that a notification dated 13.12.2005 has been issued describing the said temple situated at Ghanpur and the festival celebrations are conducting from 14.1.2006 to 16.1.2006 and accordingly the villagers of Ghanpur alone are informed that there will be an auction on 23.12.2005 at 12.30 p.m., for cycle sand and coconut stall and copies of the said auction notice are sent to the villagers of Ghanpur, Mjaidpur, Rajabollaram and Puduru Gram Panchayats authorizing them to participate in the auction.

The learned counsel for the petitioners submits that the villagers of Majidpur are not permitted to participate in the auction.

A reading of the said notification goes to show that anybody can participate in the auction and it is not reserved or restricted to participate in the auction of the villagers of Ghanpur alone. In fact all

the neighbouring villagers are also invited to participate in the auction. Accordingly, it is made clear that the villagers of Majidpur, Rajabollaram and Puduru are also entitled to participate in auction for having leasehold rights of cycle sand and coconut stall. It is also made clear that except the Manager and Trust Board of the said temple, none of the villagers of Ghanpur and Majidpur are entitled to interfere with the administrative activities of the 3rd respondent temple. They shall participate in the pongal festival celebrations (jaatara) to be held on 14.1.2006 to 16.1.2006 as per the prevailing age-old custom.

The writ petition is disposed of according. No costs.

_____

(V.ESWARAIAH, J.)

23.12.2005

Note: Issue operative portion of the order

by today.

B.O.

kpr